

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

**Hearing Date: August 6, 2019,**  
**Hearing Time: 10:30 a.m.**

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In re:

Chapter 11

P. O. Y. REALTY CORP.

Case No. 19-43615 (ESS)

Debtor.

-----X      **NOTICE OF MOTION AND MOTION**

**PLEASE TAKE NOTICE** that upon the within motion and concurrently filed memorandum of law and declaration, William K. Harrington, the United States Trustee for Region 2 (the “United States Trustee”) will move before the Honorable Elizabeth S. Stong, United States Bankruptcy Judge, in the United States Bankruptcy Court, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York, **on August 6, 2019, at 10:30 a.m.**, or as soon thereafter as counsel can be heard, for entry of an order directing dismissal of this case with prejudice to refile for two years or, in the alternative, conversion of this case to chapter 7, and for such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that any responsive papers should be filed with the Court and served on the United States Trustee at 201 Varick Street, Suite 1006, New York, New York 10014, to the attention of Rachel B. Wolf seven (7) days prior to the hearing. Such papers shall conform to the Federal Rules of Civil Procedure and identify the party on whose behalf the papers are submitted, the nature of the response, and the basis for such response.

**WHEREFORE**, the United States Trustee respectfully requests that this Court enter an order dismissing this case with prejudice and impose a two-year bar on refiling or, in the alternative, converting the Debtor’s chapter 11 case to one under chapter 7, and grant such other relief as the Court deems just, fair, and equitable.

Dated: New York, New York  
July 12, 2019

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE, REGION 2

By: /s/ Rachel B. Wolf  
Rachel B. Wolf  
Trial Attorney  
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